IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Appeal No.273 of 2000
In
Suit No.1675 of 1997

N.Sirur & Co.Pvt.Limited. .. Appellants

Vs.

The Cotton Corporation of India Ltd. .. Respondents

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Ms Samidha Vedpathak i/b Maneksha & Sethna for the appellants.

Shri R.C.Shah i/b Desai & Diwanji for the respondents.

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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 25TH JUNE, 2007

P.C.

1. The learned advocate for the appellants states that the notice issued by the learned advocate for the appellants informing that the advocates would have withdrawn their appearance from the matter in the absence of necessary instructions, has been returned with intimation that the appellants' office is no more in existence at the address disclosed in the memo of appeal and it was known to the learned advocate for the appellants. The learned advocate for the

appellants therefore craves leave to withdraw their appearance in the matter.

2. The question of grant of such a leave in the absence of service of a notice upon the appellants does not arise.

3. In the facts and circumstances, however, it is apparent that the learned advocate has no instructions in the matter and consequently the appeal is liable to be dismissed for non prosecution, the appeal is accordingly dismissed for non prosecution.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)